IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 33925 of 2007(L)

AGAINST THE ORDER DATED / / IN IA 92/2006 IN OS.6/2006 of II ADDL.SUB COURT,TRIVANDRUM
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PETITIONER: PLAINTIFF

ANASE.P.J., PUTHENVEEDU,
A.N.PURAM, MULLAKKAL VILLAGE, AMBALAPPUZHA TALUK, ALLEPPEY DISTRICT.

BY ADV. SRI.P.HARIDAS

RESPONDENTS: DEFENDANTS
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1. **K.K.SWAMINATHAN, S/O.KRISHNANKUTTY, CHAIRMAN, SHINES INDIA (P) LTD., RESIDING AT VIDYA BHAVAN, THONNALLOOR MURI, THONNALLOOR VILLAGE, PANDALAM, ADOOR TALUK.**

2. **P.V.RAJAMMA, W/O.SWAMINATHAN, DIRECTOR, SHINES INDIA (P) LTD., RESIDING AT DO. DO.**

3. **SHINE NATH, S/O.K.K.SWAMINATHAN, RESIDING AT DO. DO.**

4. **SHINES INDIA (P) LTD., A REGISTERED COMPANY UNDER THE COMPANIES ACT, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR, K.K.SWAMINATHAN, RESIDING AT VIDYA BHAVAN, THONNALLOOR MURI, THONNALLOR VILLAGE, ADOOR TALUK.**

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 33925 OF 2007

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Dated this the 16th day of November, 2007.

J U D G M E N T

This writ petition is filed seeking a direction to the Sub Registrar, Muttada not to register any document with respect to the plaint schedule property during the pendency of O.S.6/06 and to direct the 2nd Addl. Sub Judge, Thiruvananthapuram to consider and dispose of Exts.P3 and P4 applications. It is submitted by the learned counsel for the writ petitioner that he is not pressing the first prayer. The said prayer is made only on account of the fact that Exts.P3 and P4 applications have been filed in the month of August, 2006 and that had not been disposed of the Court below. A perusal of the records would reveal that the learned Sub Judge, Thiruvananthapuram had passed an order of injunction on 6th January, 2006 whereby alienation and committing waste in the property till 2.2.06 was prevented. It is submitted that unfortunately there has been no

extension and therefore Exts.P3 and P4 applications are filed for the purpose of extending the order of injunction as well as for a direction to the Sub Registrar. The prayer was granted initially for a period of one month but subsequently nothing has been done and therefore there is real grievance for the writ petitioner. When it is so and when it is pressed necessarily the Court below has to consider it and pass orders in accordance with law. Therefore, I direct the 2nd Addl. Sub Judge, Thiruvananthapuram to consider Exts.P3 and P4 applications after hearing both sides and pass orders in accordance with law within a time frame of one month from today.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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